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**Drug kingpin and eight others indicted for smuggling
millions of dollars in heroin from Colombia to New
York City**

BRIDGET G. BRENNAN, New York City's Special Narcotics Prosecutor, BRIAN R. CROWELL, Special Agent in Charge of the U.S. Drug Enforcement Administration's New York Field Division (DEA), New York City Police Commissioner RAYMOND W. KELLY and JOSEPH A. D'AMICO, Superintendent of the New York State Police, announced today the indictment of nine drug traffickers for distributing Colombian heroin in New York City. The head of the New York organization, CRUZ AGUAVIVA-DONE, is charged with three counts of Operating as a Major Trafficker under New York State's kingpin statute. During the course of the nine-month investigation, agents seized eight kilos of heroin (over 17 ½ lbs.) worth millions of dollars if sold on the street.

Eight of the nine defendants are scheduled to be arraigned on charges in the new indictment today before Manhattan Supreme Court Justice Bruce Allen. In addition to the three Major Trafficker charges against CRUZ AGUAVIVA-DONE (CRUZ AGUASVIVAS-DONE), the indictment charges the defendants with Conspiracy, Criminal Sale of a Controlled Substance and Criminal Possession of a Controlled Substance.

The wiretap investigation by the Special Narcotics Prosecutor's Office and the Drug Enforcement Task Force, Group T-22, revealed that CRUZ AGUAVIVA-DONE ran the

international heroin trafficking operation from his home at 2059 Saint Raymond Ave., Apt. 2F, in the Bronx. He ordered heroin shipments directly from a Colombian heroin organization that had a point person in New York City, JOSE GUZMAN, aka "the Artist." CRUZ AGUAVIVA-DONE directed members of his organization to conduct money transfers, pick up heroin shipments and resell loads of drugs to distributors. Investigators believe the organization moved approximately 10 kilos (22 lbs.) of heroin per month.

CRUZ AGUAVIVA-DONE was arrested on February 4th in front of his home at 2059 Saint Raymond Avenue. On that same day agents seized a shipment of 4 ½ kilos (nearly 10 lbs.) of heroin from two brothers who worked with him. This seizure was worth approximately \$270,000 wholesale or more than \$1.2 million retail.

A series of phone calls beginning in mid-January alerted agents to the fact that CRUZ AGUAVIVA-DONE was arranging for a large shipment of heroin to arrive from the Colombian heroin organization. CRUZ AGUAVIVA-DONE delivered money to GUZMAN, as well as enlisted the help of his brother, ROGELIO AGUASVIVAS-DONE, in sending payments via money transfers to Colombia. CRUZ AGUAVIVA-DONE directed GUZMAN to personally deliver the shipment of heroin to the home of RAFAEL MATEO-BRIOSO, a member of his organization.

At approximately 7 p.m. on February 4th, GUZMAN delivered a bag containing heroin to MATEO-BRIOSO's apartment at 2910 Wallace Avenue in the Bronx. Subsequently, MATEO-BRIOSO and his brother RAFAEL MATEO-URIBE spoke on the phone and MATEO-URIBE agreed to inspect the heroin. CRUZ AGUAVIVA-DONE and ROGELIO AGUASVIVAS-DONE also had a phone conversation in which CRUZ AGUAVIVA-DONE advised ROGELIO AGUASVIVAS-DONE that the heroin had been delivered.

Soon afterwards, members of the Drug Enforcement Task Force, Group T-22, searched the homes of MATEO-BRIOSO and MATEO-URIBE. From MATEO-BRIOSO's apartment, agents seized 3 ½ kilos (nearly 8 lbs.) of heroin and 200 grams of cocaine from a hidden "trap" underneath the floorboard of his kitchen cabinets, as well as approximately \$2,000 and a digital scale. A search of RAFAEL MATEO-URIBE's apartment at 2225 Holland Avenue, Apt. 4F, in the Bronx yielded one kilo of heroin (over 2 lbs.), approximately \$2,000 and a money counter. They also searched the home of CRUZ AGUAVIVA-DONE that night and seized three phones, an iPad, and approximately \$1,650 in cash. CRUZ AGUAVIVA-DONE and the two brothers were all arrested.

ROGELIO AGUASVIVAS-DONE and another member of the organization, ANGEL AGUSNIVA, were arrested the following day. GUZMAN was arrested on February 7th.

This was the second large shipment agents seized from the CRUZ AGUAVIVA-DONE organization. On September 19, 2012, the alleged kingpin directed MATEO-BRIOSO to pick up 3 kilos of heroin (nearly 7 lbs.) from a furniture store. Earlier that day, ANGEL AGUSNIVA had told CRUZ AGUAVIVA-DONE in a phone conversation that he had finished hiding the heroin in an ottoman.

Private security cameras inside his building captured images of MATEO-BRIOSO bringing the ottoman up the elevator and into his apartment. Later that day, MATEO-BRIOSO left his apartment empty-handed and returned with a bag. Subsequently he hauled the ottoman back out to the elevator. Once downstairs, MATEO-BRIOSO loaded

the ottoman into a livery cab occupied by ANNA MARY NICOTRA. Agents stopped the livery cab, seized the ottoman and arrested ANNA MARY NICOTRA. The ottoman was found to contain the 3 kilos worth approximately \$180,000 wholesale or more than \$800,000 retail. The investigation revealed that this shipment was bound for Buffalo, NY.

A third heroin transaction during the investigation involved the sale of 500 grams of heroin (approximately 1 lb.) worth approximately \$30,000 wholesale or \$135,000 retail by RAFAEL MATEO-URIBE to a heroin distributor, JOSE PAULINO.

The kingpin statute (Operating as a Major Trafficker) under which CRUZ AGUASVIVAS-DONE is charged requires that the defendant supervised four or more individuals and collected at least \$75,000 from drug sales within a six-month period of time.

One of the nine defendants, WELLINGTON FULMER SALVADOR, was arraigned on the indictment on Monday and entered a not guilty plea.

BRIDGET G. BRENNAN said, "Recently our investigations have identified South American heroin flooding our streets. In this case we apprehended not only the head of the New York organization, but the point man who was directing international shipments from Colombia to New York. By siphoning the bulk of their ill-gotten gains back to the Dominican Republic and avoiding lavish displays of wealth, this network of seasoned narcotics traffickers acted as though they could peddle poison unhampered by law enforcement. In the end, despite their disciplined and covert methods, it was their own words to one another spoken over their smart phones that led to their downfall."

BRIAN R. CROWELL said, "The citizens of New York were the intended prey of Cruz Aguasvivas-Done, who oversaw shipments of heroin into New York from Colombia for distribution in bags throughout our city and surrounding communities. This investigation identified all members of this organization, from the street level dealer to the wholesale distributor, and those responsible for smuggling heroin into our city. Cruz Aguasvivas-Done thought he was untouchable because he did not touch the heroin, but today he is aware he could not have been more wrong. This is a prime example of cooperation from all levels of law enforcement in New York to completely eliminate a drug trafficking organization and shut it down. These arrests should send the message about the dangers of heroin abuse – one dime bag of heroin can lead to a body bag and our Joint Task Force will do everything it can to protect the public from this threat."

RAYMOND W. KELLY said, "From South America to the South Bronx, the NYPD and its partners in federal law enforcement will pursue drug traffickers and bring them to prosecution."

JOSEPH A. D'AMICO said, "A drug like heroin destroys individuals, families and communities. To combat the destructive influence this drug brings to our state requires the combined efforts of all of our law enforcement agencies. I am proud to know that the New York State Police's continued partnership with the Drug Enforcement Administration, the New York City Police Department and the Office of the Special Narcotics Prosecutor were responsible for this significant seizure. I thank all of the members of this team for their hard work and dedication to the citizens of New York."

INDICTED DEFENDANTS	CHARGES
Cruz Aguaviva-Done (Cruz Aguasvivas-Done) 10/14/1956 2059 St. Raymond Avenue, Apt. 2F Bronx	Operating as a Major Trafficker – 3 cts Conspiracy 2 nd – 1 ct CSCS 1 st – 1 ct CPCS 1 st – 2 cts CPCS 3 rd – 2 cts
Rogelio Aguasvivas-Done 12/16/1970 2300 Olinville Ave., Apt. 5A Bronx	Conspiracy 2 nd – 1 ct CPCS 1 st – 1 ct CSCS 1 st – 1 ct CPCS 3 rd – 1 ct
Angel Agusniva (Angel Aguasviva) 5/30/1952 1244 Virginia Avenue Bronx	Conspiracy 2 nd – 1 ct CSCS 1 st – 1 ct CPCS 1 st – 1 ct CPCS 3 rd – 1 ct
Jose Guzman 9/19/1982 1655 Undercliff Ave., Apt. 14A Bronx, NY	Conspiracy 2 nd – 1 ct CPCS 1 st – 1 ct CSCS 1 st – 1 ct CPCS 3 rd – 1 ct
Rafael Mateo-Brioso 11/30/1949 2910 Wallace Ave., Apt. 7E Bronx, NY	Conspiracy 2 nd – 1 ct CPCS 1 st – 2 cts CSCS 1 st – 1 ct CPCS 3 rd – 2 cts
Rafael Mateo-Uribe 11/8/1965 2225 Holland Ave., Apt. 4F Bronx, NY	Conspiracy 2 nd – 1 ct CPCS 1 st – 2 cts CSCS 1 st – 1 ct CPCS 3 rd – 2 cts
Anna Mary Nicotra 3/27/1975 100 Oliver St., Apt. 824, Northton, NY	Conspiracy 2 nd – 1 ct CPCS 1 st – 1 ct CPCS 3 rd – 1 ct
Jose Paulino 11/29/1980 551 West 172nd St., Apt. 12 New York, NY	Conspiracy 2 nd – 1 ct CPCS 1 st – 1 ct CPCS 3 rd – 1 ct
Wellington Fulmer Salvador 10/12/1973 2059 St. Raymond Ave., Apt. 2F, Bronx, NY	Conspiracy 2 nd – 1 ct

The charges and allegations are merely accusations and the defendants are presumed innocent until proven guilty.